

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JOSEPH CUNNEEN,

Plaintiff,

Docket No.: 07 CIV 6601

-against-

Rule 26(a)(1)

JOHN NAPOLI,

Defendants.

-----X

In accordance with Federal Rules of Civil Procedure 26(a)(1), defendant John Napoli by his attorneys, CAMACHO MAURO MULHOLLAND, LLP, hereby discloses to all interested parties, the following:

- A. Individuals who may have discoverable information include: Peter DeMartino, Thomas Tachillo, James Vallentino, Greg Schneider, Forest Closi, Alan Dipel and Eric Sumamer.
- B. Defendant is not in possession of any documents tht defendant may use at trial at this time.
- C. Defendant is not claiming any damages.
- D. At the time of the allegation contained in the complaint, defendant Napoli was insured by Great Northern Insurance Company under policy number 1233543401 with a liability limit of \$1,000,000 per occurrence.

Dated: New York, New York
October 1, 2007

CAMACHO MAURO MULHOLLAND, LLP



Andrea Sacco Camacho, Esq. (ASC-5719)
Attorneys for John Napoli
350 Fifth Avenue - Suite 5101
New York, New York 10118
(212) 947-4999
Our File No.: CHUY-1839-A

To: (See Affidavit attached)

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

Carrel E. Mayorga, being duly sworn, deposes and says:

That I am not a party to the within action, am over 18 years of age and reside in Brooklyn, New York.

That on October 2, 2007, deponent served the within **Rule 26(a)(1)** upon the attorneys/individuals listed below, at his/her/its addresses which were so designated by said attorneys for said purpose, by depositing a true copy of same enclosed in a post paid properly addressed wrapper in a post office under the exclusive care and custody of the United States Postal Service within the State of New York:

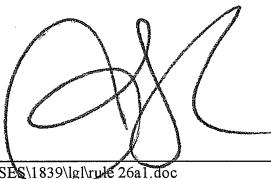
TO:

Edward F. Westfield, Esq.
274 Madison Avenue – Suite 1601
New York, New York 10016
(212) 532-6625
Attorneys for Plaintiff



Carrel E. Mayorga

Sworn to before me this
2nd day of September, 2007



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ANDREA SACCO CAMACHO
Notary Public, State of New York
No. 02CA5072768
Qualified in Queens County
Commission Expires May 1, 2011